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Application No. 10/551,410Error! Reference source not found.

FEB 12 2009

PATENT
Attorney Docket No. 9265

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Terence Hedley

Application No. 10/551,410

Filed: September 29, 2005

For: Dust Control Mat

Group Art Unit: 1794

Examiner: Juska, Cheryl

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 12, 2008 rejecting claims 32-37, 39-41, 44 and 46-53, at least one of which has been twice or finally rejected.

The Commissioner is hereby authorized to charge the \$540.00 fee associated with the filing of this Notice to Deposit Account No. 04-0500.

The Commissioner is hereby authorized to charge any additional fees or extensions required for the filing of this Notice or to credit any overpayment to Deposit Account No. 04-0500.

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If submitted via first class mail or as "Express Mail Post Office to Addressee,"
a duplicate copy of this Notice is enclosed herewith.

Respectfully submitted,



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Date: February 12, 2009

Certificate of Transmission by Facsimile Under 37 CFR §1.8

I hereby certify that this correspondence, along with all documents referred to as being enclosed herewith, is being transmitted by facsimile to the U.S. Patent and Trademark Office on February 12, 2009, at the facsimile number listed below.

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Name: Melody B. Towery _____

Signature: 